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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Tiaron Germaine Ross,  
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11                                      Petitioner,

12 v.

13 Charles L Ryan, et al.,  
14                                      Respondents.

No. CV-16-00030-TUC-RCC

**ORDER**

15            Pending before the Court is a Report and Recommendation (“R & R”) prepared by  
16 Magistrate Judge Eric J. Markovich. Doc. 23. In his R & R, Magistrate Judge Markovich  
17 recommends that this Court deny Petitioner Tiaron Ross’s Petition for Writ of Habeas  
18 Corpus. Doc. 1. For the following reasons, this Court shall accept and adopt the R & R as  
19 the findings of fact and conclusions of law for this Court.

20            The duties of the district court in connection with a R & R are set forth in Rule 72  
21 of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). The district court may  
22 “accept, reject, or modify the recommended disposition; receive further evidence; or  
23 return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3); 28  
24 U.S.C. § 636(b)(1).

25            Where the parties object to an R & R, “[a] judge of the [district] court shall make a  
26 de novo determination of those portions of the [R & R] to which objection is made.” 28  
27 U.S.C. § 636(b)(1); *see Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). When no objection  
28 is filed, the district court need not review the R & R de novo. *Wang v. Masaitis*, 416 F.3d

1 992, 1000 n. 13 (9th Cir.2005); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121-22  
2 (9th Cir. 2003) (en banc). The Court will not disturb a magistrate judge’s order unless his  
3 factual findings are clearly erroneous or his legal conclusions are contrary to law. 28  
4 U.S.C. § 636(b)(1)(A). “[T]he magistrate judge’s decision...is entitled to great deference  
5 by the district court.” *United States v. Abonce-Barrera*, 257 F.3d 959, 969 (9th Cir.  
6 2001). A failure to raise an objection waives all objections to the magistrate judge’s  
7 findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object  
8 to a Magistrate Judge’s conclusion “is a factor to be weighed in considering the propriety  
9 of finding waiver of an issue on appeal.” *Id.* (internal citations omitted).

10 Here, the parties have not objected to the R & R, which relieves the Court of its  
11 obligation to review. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.  
12 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1) ] does not ...  
13 require any review at all ... of any issue that is not the subject of an objection.”);  
14 Fed.R.Civ.P. 72(b)(3) (“The district judge must determine de novo any part of the  
15 magistrate judge's disposition that has been properly objected to.”). This Court considers  
16 the R & R to be thorough and well-reasoned. After a thorough and de novo review of the  
17 record, the Court accepts and adopts Magistrate Judge Markovich’s R & R.

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**IT IS FURTHER ORDERED** that Magistrate Judge Markovich's Report and Recommendation is **ACCEPTED** and **ADOPTED** as the findings of fact and conclusions of law by this Court. Doc. 23.

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